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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,239	09/11/2003	James Ziech	60680-543	5371

7590 10/18/2005

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EXAMINER

DUNN, DAVID R

ART UNIT PAPER NUMBER

3616

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/660,239		ZIECH ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	David Dunn		3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 15-17, 21 and 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/11/03, 10/8/03, 2/12/04</u>   | 6) <input type="checkbox"/> Other: ____                                     |

4-

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statements filed September 11, 2003, October 8, 2003, and December 13, 2004 are acknowledged. See enclosed IDS forms.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (6,491,314) in view of Kittle et al. (5,005,913).

Smith et al. discloses a control arm (518; Figure 48) configured for connection to a frame of said vehicle (see Figure 49) and configured to receive an axle (524), said control arm defining a first sleeve (542) and a second sleeve (588) configured to be received within the first sleeve and about the axis (see also Figure 47). Smith et al. also shows the sleeves being a pair of circumferentially spaced portions, each having a span of 180 degrees.

Smith et al. fails to show the sleeves being tapered.

Kittle teaches a first sleeve (10) for receiving an axle (12), the sleeve having a radially inner surface which tapers (see Figure 5), a second sleeve (14a) is received in the first sleeve and about the axle and has a radially outer surface that tapers complementary to said radially inner

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surface of the first sleeve. The first sleeve tapers inwardly. The sleeve defines a slot which forms a pair of circumferentially shaped portions (see Figure 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Smith et al. with the teachings of Kittle et al. to provide tapered sleeves in order to better secure the axle to the control arm.

4. Claims 1-5, 7-14, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. in view of Pitzer (3,009,747).

Smith et al. is discussed above and fails to show the sleeves being tapered.

Pitzer teaches a first tapered sleeve (20) about an axis (28) with a second sleeve (1) received within the first sleeve with a complementary taper. Pitzer also teaches a third sleeve (30) configured to be received within the first sleeve, the third sleeve abutting against a first axial end of the second sleeve (see Figure 6). The sleeve has a slot (see Figures 1-4). Pitzer also shows a fourth sleeve (see second "1" in Figure 6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Smith et al. with the teachings of Pitzer to provide tapered sleeves in order to better secure the axle to the control arm.

#### *Allowable Subject Matter*

5. Claims 15-17, 21, and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

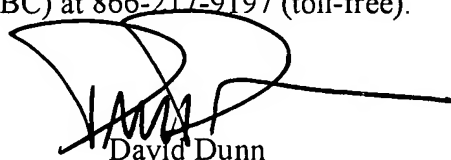
*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Arena shows a bushing assembly of interest. Galazin et al. shows a control arm of interest. Martinie shows a tapered bearing of interest. O'Reilly shows a tapered axle sleeve. Ward shows tapered bearings.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 571-272-6670. The examiner can normally be reached on Mon-Fri, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'DAVID DUNN', with a long horizontal line extending to the right.

David Dunn  
Primary Examiner  
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